

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF ACCOUNTANCY

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 1, Board of Accountancy
Article and its heading: 3, Certification and Registration Provisions
Section numbers: R4-1-341, R4-1-341.01, and R4-1-342
2. **Subject matter of the proposed rules:**
These rules clarify what is required of a successful exam candidate for certification by examination, reciprocity, or a non-Arizona examinee. The new rules will incorporate time frames as mandated by A.R.S. § 41-1072 et seq.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Ruth R. Lee, Executive Director
Address: State Board of Accountancy
3877 North 7th Street, Suite 106
Phoenix, Arizona 85014
Telephone: (602) 255-2648, ext. 18
Fax: (602) 255-1283
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Board will accept written comment during regular business hours at the address listed above until the close of record, which has not yet been determined.
The Board has not scheduled an oral proceeding at this time.
6. **A timetable for agency decisions or other action in the proceeding:**
The Board expects to file proposed rule amendments with the Secretary of State's Office in January 1997.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF MEDICAL EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 16, Board of Medical Examiners
Articles and its heading: 1, General Provisions
Section numbers: R4-16-104 through R4-16-113
2. **Subject matter of the proposed rules:**
A.R.S. §§ 41-1072 through 41-1078 were added during the 1996 regular legislative session and require that all administrative agencies, boards, and commissions which are subject to the Administrative Procedure Act to establish, by rule, timeframes for any licensing activities. An overall time frame for the licensing process must be established. That time frame must then be split into 2 parts, the completeness phase and the substantive review phase. Finally, these rules must be in place no later than December 31, 1998. The proposed rules establish for physicians the necessary licensing time frames for initial licensing by examination and endorsement, renewal of license, temporary license, locum tenens, and pro bono registration, teaching license, educational teaching permit, training permit, 1-year training permit, and the authorization of physicians to read or interpret mammographic images.
3. **A citation to all published notices relating to the proceeding:**
None applicable.

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4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Elaine Hugunin, Deputy Director
Address: Board of Medical Examiners
1651 East Morten, Suite 210
Phoenix, Arizona 85020
Telephone: (602) 255-2648, ext. 18
Fax: (602) 255-1283

5. The time during which written submissions may be made and the time and place where oral comments may be made:

Submissions may be made to the Deputy Director at the above-designated address until the close of record, which is likely to be in the latter part of March. However, the specific date for the close of record will be set forth in the Notice of Proposed Rulemaking to be filed with the Secretary of State and published in the *Register*.

6. A timetable for agency decisions or other action in the proceeding:

It is anticipated that the Notice of Proposed Rulemaking will be filed by the end of January or early February, with publication in late February or early March. If there are no or insufficient requests for public hearing, the record for public comment will be closed, probably some time in late March or early April. Following receipt of any written comments, the package will be finalized, adopted by the Board, and filed with the Governor's Regulatory Review Council. Thereafter, the GRRC has 90 days to act upon the adopted rules.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and its heading: 7, Non-pharmacy Licensed Outlets - General Provisions
Section numbers: R4-23-704 and R4-23-706 through R4-23-709

2. Subject matter of the proposed rules:

The rule seeks to repeal the Sections listed above. These Sections establish requirements for medical facilities in industrial and business organizations. The present rules are very outdated and no longer apply to the type of facilities used today. The rules were established to protect the public when drugs were supplied by non-physicians in the industrial setting. The large businesses affected by these rules are using nurse practitioners to oversee their medical facilities. Since nurse practitioners have prescribing privileges equal to those of physicians, this increased use of nurse practitioners by the businesses that are affected by these rules makes the rules unnecessary.

The agency docket number, if applicable:

R9605

3. A citation to all published notices relating to the proceeding:

None published.

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Dean Wright, Compliance Officer
Address: Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015
Telephone: (602) 255-5125, ext. 131
Fax: (602) 255-5740

5. The time during which written submissions may be made and the time and place where oral comments may be made:

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.

The Board will accept oral comments Monday through Friday, 8 a.m. to 4:30 p.m.

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

6. A timetable for agency decisions or other action in the proceeding:

None.

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF EDUCATION

1. **Title and its heading:** 7, Education
Chapter and its heading: 2, State Board of Education
Articles and its heading: 4, Special Education
6, Certification
8, Compliance
Section numbers: R7-2-401 through R7-2-406, R7-2-601 through R7-2-608, and R7-2-802
2. **Subject matter of the proposed rules:**

Article 4 sets forth the standards and requirements for special education services. The Board will consider amendments to the rules contained in Article 4 to include the deletion of language that is duplicated in rule and currently contained in state or federal statute, language which is obsolete and no longer required, and changes which may have taken place recently related to practice or federal mandate.

Article 6 sets forth the general provisions, skill requirements, educational requirements, and fees for the issuance of an Arizona certificate or endorsement. The Board will consider amendments to these rules which will include the development and incorporation of a new assessment to replace the Arizona Teacher Proficiency Examination, new professional standards to replace the existing skill requirements, and new standards for professional preparation programs.

R7-2-802 contains the hearing procedures for determining school district compliance with the Uniform System of Financial Records. The Board recently proposed new rules related to administrative hearings, and R7-2-802 will be amended to reflect only the specific requirements related to school district compliance with the USFR. Hearing procedures will be as outlined in the new rules proposed as Article 7.
3. **A citation to all published notices relating to the proceeding:**

None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Corinne L. Velasquez, Administrator

Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**

To be determined and announced with the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action in the proceeding:**

To be determined and announced with the Notice of Proposed Rulemaking.